

**Town of Milton
Town Council Meeting Minutes
August 7, 2006**

Milton Town Council Meeting was held in the Milton Theatre, 110 Union Street.

1. Open Floor-7:15p.m.

Councilman Prettyman thanked everyone for the flowers and cards while he was in the hospital.

Brian McGill-

He purchased a lot in Wagamon's West Shore. He was concerned about the increase of the impact fees. He questioned why a payment plan was not offered to the individual lot owners that had no knowledge of the pending increase.

John Brady asked for copies of the MOU agreements. This item is to be placed in the September Council meeting so Mr. Brady can give full report.

Mr. Gill thought the letter needed more of a human touch.

Robert Paul-

He lives at 413 Chestnut Street. He believes that part time residents should be allowed to vote.

Mr. Brady stated some towns have various election procedures. He has not explored Milton's voting rules but if council would like him to do so he will.

Gene Steele-

He questioned the lights in Wagamon's West Shore. Councilwoman Betts stated that she will answer this in her report.

Kathryn Greig-

Welcomed Councilman Prettyman back. She stated the weather the last several weeks has been hard on the planting. She passed out a page showing the spending of the Garden Club and went over the Milton Garden Club Budget Update. She stated that there may be a need to transfer funds from Governors Walk to go towards watering of the plants. Planter liners will need to be replaced.

Richard Greig-

He gave explanation on the study of Cost Benefit Analysis. Last years study was on North Milton, was a cost benefit analysis done prior to the Goshen Hall project and the contract to purchase 20 acres on Cave Neck Road?

Mayor Post-

Council has looked for sewer plant land for three years no-cost benefit analysis has been done.

Ann Yarbrough-

Historical society silent auction and garden party will be on August 19, 2006 at 204 Federal Street. There are invitations available for those who wish to have one.

2. Call to order- Mayor Post

Mayor Post called the regular Council meeting to order at 7:33 p.m.

Councilwoman Betts offered a moment of silence, and pledge

Mayor Post called roll.

PRESENT: Mayor Post
Councilman Frey
Councilman Harris
Councilman Dvornick
Councilwoman Betts
Councilwoman Melson
Councilman Prettyman

Others Present:	George Dickerson, Town Manager	Stephanie Coulbourne, Town Clerk
	Allen Atkins, Public Works Director	Chief Phillips, Police Chief
	Bob Kerr, Cabe Assoc.	John Brady, Town Solicitor

Additions or corrections to the agenda?

Correction to agenda two # 13 listed. Second 13 will be moved to #15. Councilwomen Melson asked to omit item C from August agenda. Councilman Dvornick-New Business; add impact fee increase and part time resident voting rights. Councilwoman Betts-New Business; Street request 13E Impact, 13F Part time voting, 13G Street request. Adjust #15

3. Approval of the agenda-Councilman Frey Motion to approve as amended and Councilman Dvornick 2nd all in favor “Aye”

4. Presentation of Minutes-

April 12, 2006	Special Meeting
April 20, 2006	Workshop
May 1, 2006	Regular Meeting
June 5, 2006	Regular Meeting
June 16, 2006	Regular Meeting
July 3, 2006	Regular Meeting

5. Approval of minutes by council-

Councilman Dvornick made a motion to approve and post on the web Councilman Frey 2nd, Councilwoman Betts asked, “on the May 1, 2006, omitted time out of executive session needs to be added and June 5, 2006 Page 7 should state, Wagamon’s West Shore.” Dvornick approve with corrections Councilman Frey 2nd. All in Favor of the minutes? “Aye”

6. Committee Report -Mayor Post

Personnel- Councilman Frey reported that Stephanie Coulbourne reinstated as Town Clerk.

Planning and Zoning- No one was available to report.

Board of Adjustments- John Collier gave a brief summary of the meeting held on July 25th.

Town Charter- Joan Martin-Brown stated there have been four meetings and they are making good progress.

Sewer and Water- Councilwoman Melson stated the committee met on the high BOD levels and letters from DNREC. Town could be fined \$10,000 per day everyday that the BOD levels are over. Evaluation of the plant will be addressed in the near future. The town is seeking location for a new water tower. The code enforcer would like council's direction on remaining EDU's sewer impact increase.

Streets and Sidewalk- Councilwoman Betts reported I have talked to Delmarva Power; they haven't been able to get out due to the power outage due to the heat. They will try to send someone out to complete and turn on the lights. Street repaving estimates are in. C and J paving are \$73,438; Delmarva Paving \$84,328; Jerry's paving \$98,687; Plesting paving is \$96,360. Sidewalk and curbing issue was gone over. Town manager gave out construction standards to each council member. Town ordinances 16-1 through 16-17 to repair sidewalks is the responsibility of the owner. Repair within 30 days of the break of the sidewalk. Town attorney has reviewed the ordinances and agrees owners are responsible to have sidewalks repaired. Councilwoman Betts read through the ordinances regarding sidewalks. Questions asked from audience and answered by the town attorney. Questions asked about future lighting along the side streets before sidewalks are repaired. It was stated that property owners need to make the request of the council to wait on the repairs until such requests are answered. Wagamon's West Shore residents are angry by delay on street light. Norma Kraus-116 Morgan Way stated she will be calling the Public Service Commission regarding delay. Mayor Post stated several people have been on the phone with Delmarva Power. Mayor feels it is the responsibility of Planning and Zoning on the final site plan that lighting should be noted on the final site plans. Ms. Krause stated this is a public safety issue. Pret Dyer a developer stated that Governor Minner or Town Council has no leverage against Delmarva Power. He suggested that we should contact the president of Delmarva Power or the Public Service Commission. Judy Seiffert stated that for three years there has been a discussing regarding Ramps on Chestnut Street. John Collier asked for ordinance 16-20 to be read and for Mr. Brady's interpretation of the ordinance.

John Brady-

Town to oversee the repair the town is not responsible for the financial portion of the repair.

Ted Knasas-On Broad Street the lighting is very dim. Police sent repair order to Delmarva Power

Parks and Recreations- Councilman Harris reported that planting in Bicentennial Garden is being held off due to high heat. There may be a possibility for irrigation for the planting. He thanked VFW for the \$3000 donation for the new flag poles. Next Meeting will be held on August 14 at 6:30 at Town Hall to look at the Playground equipment.

Economic Development – Councilman Harris stated they have been working with the chamber to update the website and a town welcoming packet. They also met with the film board to work with the director of the movie and Chamber.

Milton Development- Councilwoman Betts reported. There will a canoe and kayak race on August 26.

Historic Preservation- Stephanie Parker met with Mr. Brady. Final review going to Mr. Brady soon. Final presentation going in front of council in September or October meeting.

Finance-There will be a report given by the Town Manager later in the evening

New Waste Water Treatment Plant-Councilman Dvornick gave a power point presentation.

7. Written Reports- Mayor Post

- a. Code Enforcer- Councilman Dvornick motioned to approve, Councilman Frey 2nd
- b. Maintenance-Councilman Dvornick motioned to approve, Councilman Frey 2nd
- c. Police-Councilman Prettyman motioned to approve, Councilman Dvornick 2nd

12. Unfinished Business-

Historical and Cultural affairs-Robin Bodo said the Historical Affairs project will start with a survey. The whole town will be reviewed. Rebecca Sheppard from the Center for Historical and Architect design said that she drove around the town and reviewed the town's great resources. Sections of town that were never reviewed in the early 1980's will be updated in the survey. Looking at the building already on the record and the building that were not reviewed. She will identify additional resources that need to be added to the survey. Ms. Sheppard answered questions from the Council and the public.

GMB-Gave presentation during written report of the new Wastewater Treatment Plant.

13. New Business-

- a. Employee of the Quarter-Noah Glaeser- Presentation was given to Chief Phillips.
- b. Chestnut Properties, LLC request for private irrigation well-Request for irrigation well.
Pret Dyer-Chestnut properties asked for two well sites. One will be in the rear of Phase II B. There will be two ponds located in the area. Pond on phase III A and B would be enlarged. Looking for well site in Phase II B for watering common areas. Ponds would be filled with fish who feed on mosquito larvae. They would not survive using the town's water which is treated.

Councilman Frey-Doesn't have a problem with the well for the pond but does feel the well for irrigation should be paid for by the HOA or homeowners.

Councilman Harris felt the same way about watering the common areas.

Councilman Prettyman objects. Others have been given wells. Pintail management was given a well for the office park. He doesn't feel we should punish Mr. Dyer.

Councilman Harris stated that two wrongs doesn't make it right.

Councilman Prettyman thinks council should not punish this developer. He believes ordinance needs to be written on this issue.

Mayor- I understand the only existing wells were for wet ponds not irrigation. I would like our attorney opinion on this issue.

Councilman Dvornick stated Atlantic Homes has a 4 inch well for the common areas granted by council. He believes there is a common ground. Separate irrigation meter for the common areas that allows the town the revenue and serves the green area.

Norma Kraus- Disagrees with Councilman Prettyman. Mr. Dyer isn't a developer. She pays for her water. She believes developers should pay also.

Al Stine- Is the town doing the best practice of the town's drinking water.

Councilman Dvornick- A ordinance was written for the water being used for the household for drinking water.

Ken Goodman- Thinks the water system is already taxed and believes he already has low water pressure.

Mr. Dyer- He thinks it is difficult to make a request and have this discussion when Atlantic Homes was granted this same request. He would like this to be grandfathered under the existing one.

Councilman Dvornick- Table this discussion at the workshop. Councilwoman Betts 2nd. All in favor "Aye".

d. Budget Presentation FY2006/2007-Budget presentation was given by the town manager. Questions were asked by public and answered by council.

John Collier questioned the \$75,000 grant for riverbank.

S. Parker-Where are the funds for Historical district expansion placed in the budget?

Mayor-No

Councilman Dvornick discussed Sewer and water radio read meters and interest payments on the new Waste Water Treatment Plant.

Workshop will be held August 17th, at 7:30p.m. at the Milton Theatre

Marion Jones-Concerned about take home cars for officers with gas prices and wear and tear on the cars. Insurance Coverage-Believes employees should put into the coverage.

Ann Yarborough-Consider cost of coverage to expand the historical district.

John Brady-All can be brought up before the public hearing on August 17, 2006.

e. Impact Fee Increase-Councilman Dvornick made a motion that the impact fee increase, based on the gentleman's comments this evening, be submitted to the finance committee to take a look at it. Councilman Harris seconds the motion. Mayor Post asked for any discussion and added that he recommends it should go to the town attorney for his opinion. Councilman Dvornick withdraws his previous motion and makes a new motion that the impact fee increase and the request from the gentleman that spoke earlier this evening be referred to the town solicitor for advisement.

Councilman Harris seconds the motion. All in favor say aye, "Aye". Motion carried.

f. Part-time resident voting rights-Councilman Dvornick made a motion that the part-time resident voting opportunities/possibilities be turned to the town solicitor for advisement on what other municipalities do with the idea of perhaps it can be input to the Charter Committee as they will be dealing with that issue. Councilwoman Betts seconds the motion. All in favor say aye, “Aye”. Motion carried.

g. Street request ratification-Councilwoman Betts stated that, “a request was made to Chief Phillips and the Street Committee to close Tobin Drive on Saturday, July 29 for a street block party that we also had granted on Coulter Street and due to the fact that this was a request prior to the council meeting we consulted our attorney and we did approve this and I would like at this time the council ratify this decision by their vote and let it be noted that there were no problems and everything went smoothly and a thank you note has been sent to the town and it says ‘thank you for your cooperation and support in closing Tobin Drive for our block party, it was a great success and enjoyed by everyone thanks again for your help, Tom Adkinson, Charles Port’ and I’d like to make a motion to pass that.” Councilman Dvornick seconds the motion. All in favor say aye, “Aye”. John Brady stated that, “the request came in after the last council meeting, because the date was before the next council meeting the town manager brought it to my attention, asked me to speak to the Vice Mayor Mrs. Betts and look at what the code would permit the Streets Committee to do in consultation with the Chief of Police absent of holding a special council meeting to discuss that one event and it was my legal opinion based on interpreting the ordinance that if the police chief and the Streets Committee conquered into request not to establish quote “a precedent” to apply after the Town Council meeting but because of the circumstances it was a late request that I said if both of them conquered that it would be appropriate subject to ratification at the next council meeting.” Motion carried.

14. Executive Session-Councilman Dvornick made a motion to move to Executive Session. Councilman Harris seconds the motion. All in favor say aye, “Aye”. Councilman Frey made a motion to come out of Executive Session, Councilwoman Betts second the motion.

15. Adjournment-Councilman Harris made a motion to adjourn, Councilman Frey seconds the motion. Meeting adjourned 10:47 p.m.